

In re Patent Application of:
BORDEN LARSON, et al
Serial No. 10/689,557
Filing Date: 10/20/2003

Remarks

Applicant and the undersigned would like to thank the Examiner for his efforts and guidance provided during the examination of this application. Claims 1-16 remain in the case.

Claims 1, 3-6, 8-111, and 13-16 were rejected under 35 USC §102(b) as being anticipated by US Patent No. 3,987, 746 to McCulloh.

Claims 2, 7, and 12 were rejected under 35 USC §103(a) as being unpatentable over McCulloch '746 in view of US Patent No. 3,890,918 to Sell.

As guided by the Examiner, independent claims 1, 6, and 11 are herein amended to more clearly describe the structural features of the claimed invention. By way of example, Claim 1 is amended to describe the towing frame having a structural strength to withstand a force from towing a human performer behind the vessel by a rope attached to the frame, as do Claims 6 and 11 for the support and support structure, respectively. In addition, independent Claims 1, 6, and 11 are herein amended to more clearly describe the location of the operator station of the vessel.

Claim 1 includes the feature of the bridging portion of the towing frame located generally above and proximate the operator's station of the vessel, while Claim 6 and 11 have the central portion and horizontal portion, respectively, at least amidships and forward thereof. In contrast to the claimed invention, McCulloch '746 teaches a

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parasailing launching apparatus located in an aft portion of a vessel, and as illustrated with reference to FIG. 1, clearly described as being aft amidships. While the launching apparatus (10) is proximate the controls (28), as illustrated in FIG. 3, the launching apparatus (10) is quite separated and very much aft the operator station of the boat (11), as illustrated with reference to FIG. 1. Yet further, McCulloch '746 teaches a winch (53) having a line (54) extending through a rotatable boom (22), as opposed to a tow rope attachment point attached to the bridging portion (claim 1), central portion (claim 6), and to the horizontal portion (claim 11). It would therefore appear that McCulloch '746 does not anticipate the claimed invention. There is also no suggestion that the launching apparatus of McCulloch '746 be configured as presented in the claimed invention. Applicants therefore request that the anticipatory rejection be withdrawn.

With regard to Sell '918, there is no suggestion that the mounting structure be modified so as to be rotatable into a horizontal storage position, as suggested by the Examiner. Yet further, Sell clearly teaches a towing structure positioned well aft the operator' station and proximate the transom (see FIGS. 1 and 5).

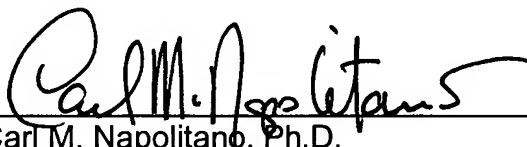
With regard to Examiner's comment (Item 2, Par 7) in Conclusion of Office Action for the "Joystick Wakeboarding" web page, it is the understanding of the undersigned that Applicants have submitted all that is currently know regarding the web page disclosure. With regard to Item 3, Par 7, Applicants and undersigned respectively

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traverse the opinion that the Design Patent disclosure does not support claimed features of the instant application, and believe that benefit is derived from US Patent No. D409,972.

Applicants respectfully submit that the above amendments place this application in a condition for allowance, and passage to issue is respectfully solicited. The Applicants and the undersigned would like to again thank the Examiner for his efforts in the examination of this application. If the further prosecution of the application can be facilitated through telephone interview between the Examiner and the undersigned, the Examiner is requested to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,



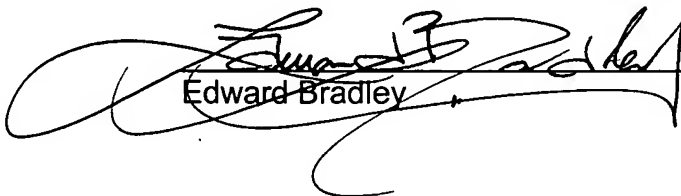
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CERTIFICATE OF MAILING

I hereby certify that the foregoing is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 8TH day of December, 2005.


Edward Bradley